

FISCAL NOTE

Bill #: HB0642

Title: Provide that search and rescue operations are paid on a per search basis

**Primary
Sponsor: Bill Tash**

Status: As introduced

Sponsor:	Date	Dave Lewis, Budget Director	Date
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Fiscal Summary

	<u>FY2000 Difference</u>	<u>FY2001 Difference</u>
Expenditures:		
State Special Revenue	\$31,210	\$31,210
Revenue:		
State Special Revenue	\$24,800	\$24,800
Net Impact on General Fund Balance:	\$0	\$0

<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>	
	X	Significant Local Gov. Impact	X		Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts

Fiscal Analysis

ASSUMPTIONS:

1. Courts assess fines on approximately 3,000 Title 87 violations each year.
2. Courts assess restitution on approximately 100 violators each year under 87-1-111.
3. The average number of search and rescue missions statewide is estimated at 300 per year.
4. The average operation cost of a search and rescue mission is estimated at \$300.
5. It is estimated that it will take a 0.25 FTE administrative assistant (grade 10) two hours to review and process each claim. It is estimated that operating expenses will be \$500 per year.

FISCAL IMPACT:

DFWP

	<u>FY2000</u> <u>Difference</u>	<u>FY2001</u> <u>Difference</u>
FTE	0.25	0.25
<u>Expenditures:</u>		
Personal Services	\$ 5,910	\$ 5,910
Operating Expenses	\$ 500	\$ 500
Grants to Search & Rescue Organizations	<u>\$24,800</u>	<u>\$24,800</u>
TOTAL	\$31,210	\$31,210
<u>Funding:</u>		
State Special Revenue (02)	\$31,210	\$31,210
<u>Revenues:</u>		
State Special Revenue (02)	\$24,800	\$24,800
<u>Net Impact to Fund Balance (Revenue minus Expenditure):</u>		
State Special Revenue (02)	(\$6,410)	(\$6,410)

TECHNICAL NOTES:

1. Section 1, subsection 7. Restitution imposed under 87-1-111 is not a fine. It is not clear whether the language of the subsection is sufficient to add \$8 to each sentence ordering restitution to be paid. This fiscal note, however, assumes the \$8 would be added to each restitution sentence imposed by the court and that this would be exempt under CI-75.
2. There is no provision for administrative costs to be paid from the revenues generated. If the department uses license dollars to administer the search and rescue reimbursement program, it could constitute a diversion and jeopardize \$10.8 million of federal revenue.

DEDICATION OF REVENUE:

- a) Are there persons or entities that benefit from this dedicated revenue that do not pay? (please explain)

Yes, the local search and rescue units and county sheriff offices that will receive the grants and matching funds along with those who were rescued as a result of a search and rescue mission.

- b) What special information or other advantages exist as a result of using a state special revenue fund that could not be obtained if the revenue were allocated to the general fund?

The additional fee imposed under this bill has been earmarked for a specific purpose. In order to provide appropriate accountability to our users, a separate special revenue account is needed.

(continued)

- c) Is the source of revenue relevant to current use of the funds and adequate to fund the program activity that is intended? ____Yes __X__No (if no, explain)

The source of revenue is new. There is no funding provided to administer the program.

- d) Does the need for this state special revenue provision still exist? ____Yes ____No (Explain)

NA

- e) Does the dedicated revenue affect the legislature's ability to scrutinize budgets, control expenditures, or establish priorities for state spending? (Please Explain)

The dedicated revenue should not effect the legislature's ability to scrutinize budgets, control expenditures or establish priorities for state spending except that the additional fine revenue has been dedicated for a particular purpose.

- f) Does the dedicated revenue fulfill a continuing, legislatively recognized need? (Please Explain)

If HB 642 passes this dedicated revenue will fulfill a legislatively recognized need.

- g) How does the dedicated revenue provision result in accounting/auditing efficiencies or inefficiencies in your agency? (Please Explain. Also, if the program/activity were general funded, could you adequately account for the program/activity?)

Auditing efficiencies include a clear audit trail to support the non-diversion clause of state and federal statutes. It also provides appropriate and efficient accountability to our users.

Accounting for the additional fine revenue in the general fund would be very inefficient and would not provide the legislature with additional flexibility to "scrutinize budgets, control expenditures and establish priorities for state spending."

Fiscal Note Request, HB0642, as introduced

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